



PATENT
Attorney Docket No. P06641US00
PHI 1843

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: SEGEBART, Robert Lee
SERIAL NO: 10/769,577
FILED: January 30, 2004
TITLE: HYBRID MAIZE 33N56

Group Art Unit: 1638
Examiner:
Confirmation No:

**INFORMATION DISCLOSURE STATEMENT
FILED WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant directs the Examiner's attention to the following patents and/or other documents which may be material to the examination of this application. References that are U.S. patents are not required to be submitted. Copies of the references are enclosed. The Examiner is urged to consider these documents and make them of record in this application. This submission is not intended to constitute an admission of any kind, and in particular is

=====

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

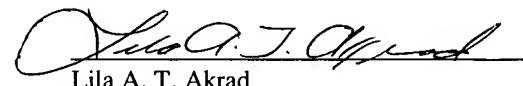
MAILING

deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 4/28/2004

FACSIMILE

transmitted by facsimile to the Patent and Trademark Office, Art Unit 1638 at Fax No. (703) 872-9306.


Lila A. T. Akrad

not an admission that any patent, or other document referred to herein constitutes a printed publication or is otherwise properly citable as prior art with respect to this application. No representation is made that a search has been conducted or that no more material information than that cited herein exists. Accordingly, this submission is not intended to take the place of the Examiner's own independent search of the art.

A list of the patents and/or other documents is set forth on the attached Form(s) PTO-SA08B and SB/08B.

A copy of each of these documents or translations or abstract as appropriate, is attached or will be forwarded as soon as it becomes available.

Respectfully submitted,
Robert Lee Segebart



BY Lila A. T. Akrad, Reg. No. 52,550
McKEE, VOORHEES & SEASE
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No. (515) 288-3667
Fax No. (515) 288-1338
CUSTOMER NO: 27142

- pw -

Attorneys of Record



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Form PTO/SA08B (10-01)
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(Use as many sheets as necessary)</i></p>		<p><i>Complete if Known</i></p>	
		<p>Application Number</p>	<p>10/769,577</p>
		<p>Filing Date</p>	<p>January 30, 2004</p>
		<p>First Named Inventor</p>	<p>SEGEBART, Robert Lee</p>
		<p>Art Unit</p>	<p>1638</p>
		<p>Examiner Name</p>	
Sheet	1	of	4
		<p>Attorney Docket Number</p>	<p>P06641US00 - 1843</p>

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>					
Sheet	2	of	4	Attorney Docket Number	P06641US00 - 1843

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	15	Plant Variety Protection Act, Certificate No. 9700214 for Corn, Field 'PH07D' issued 02/09/2001			
	16	Plant Variety Protection Act, Certificate No. 9700218 for Corn, Field 'PH09B' issued 10/27/2000			
	17	Plant Variety Protection Act, Certificate No. 9800355 for Corn Inbred 'PH1B5' issued 06/14/2001			
	18	Plant Variety Protection Act, Certificate No. 9900382 for Corn, Field 'PH2MW' issued 11/06/2001			
	19	Plant Variety Protection Act, Certificate No. 200100244 for Corn, Field 'PH5W4' issued 09/12/2003			
	20	Berry et. al., Assessing Probability of Ancestry Using Simple Sequence Repeat Profiles: Applications to Maize Inbred Lines and Soybean Varieties" <i>Genetics</i> 165:331-342 (2003)			
	21	Boppenmaier, et al., "Comparisons Among Strains of Inbreds for RFLPs", <i>Maize Genetics Cooperative Newsletter</i> , 65:1991, pg. 90			
	22	<u>Conger, B.V., et al. (1987) "Somatic Embryogenesis From Cultured Leaf Segments of Zea Mays", <i>Plant Cell Reports</i>, 6:345-347</u>			
	23	Duncan, D.R., et al. (1985) "The Production of Callus Capable of Plant Regeneration From Immature Embryos of Numerous <i>Zea Mays</i> Genotypes", <i>Planta</i> , 165:322-332			
	24	Edallo, et al. (1981) "Chromosomal Variation and Frequency of Spontaneous Mutation Associated with <i>in Vitro</i> Culture and Plant Regeneration in Maize", <i>Maydica</i> , XXVI:39-56			
	25	Fehr, Walt, <i>Principles of Cultivar Development</i> , pp. 261-286 (1987)			
	26	Green, et al. (1975) "Plant Regeneration From Tissue Cultures of Maize", <i>Crop Science</i> , Vol. 15, pp. 417-421			
	27	<u>Green, C.E., et al. (1982) "Plant Regeneration in Tissue Cultures of Maize" <i>Maize for Biological Research</i>, pp. 367-372</u>			
	28	Hallauer, A.R. et al. (1988) "Corn Breeding" <i>Corn and Corn Improvement</i> , No. 18, pp. 463-481			
	29	Lee, Michael (1994) "Inbred Lines of Maize and Their Molecular Markers", <i>The Maize Handbook</i> Ch. 65:423-432			
	30	Meghji, M.R., et al. (1984) "Inbreeding Depression, Inbred & Hybrid Grain Yields, and Other Traits of Maize Genotypes Representing Three Eras", <i>Crop Science</i> , Vol. 24, pp. 545-549			
	31	Openshaw, S.J., et al. (1994) "Marker-assisted selection in backcross breeding". p. 41-43. In <i>Proceedings of the Symposium Analysis of Molecular Marker Data</i> . 5-7 August 1994. Corvallis, OR. American Society for Horticultural Science/Crop Science Society of America.			
	32	Phillips, et al. (1988) "Cell/Tissue Culture and <i>In Vitro</i> Manipulation", <i>Corn & Corn Improvement</i> , 3rd Ed., ASA Publication, No. 18, pp. 345-387			
	33	Poehlman et al (1995) <i>Breeding Field Crop</i> , 4th Ed., Iowa State University Press, Ames, IA., pp. 132-155 and 321-344			

Substitute for form 1449B/PTO				<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT					
<i>(Use as many sheets as necessary)</i>					
Sheet	3	of	4	Attorney Docket Number	P06641US00 - 1843
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	34	Rao, K.V., et al., (1986) "Somatic Embryogenesis in Glume Callus Cultures", <u>Maize Genetics Cooperative Newsletter</u> , No. 60, pp. 64-65			
	35	Sass, John F. (1977) "Morphology", <u>Corn & Corn Improvement</u> , ASA Publication, Madison, WI pp. 89-109			
	36	Smith, J.S.C., et al., "The Identification of Female Selfs in Hybrid Maize: A Comparison Using Electrophoresis and Morphology", <u>Seed Science and Technology</u> 14, 1-8			
	37	Songstad, D.D. et al. (1988) "Effect of ACC(1-aminocyclopropane-1-carboxylic acid), Silver Nitrate & Norbonadiene on Plant Regeneration From Maize Callus Cultures", <u>Plant Cell Reports</u> , 7:262-265			
	38	Tomes, et al. (1985) "The Effect of Parental Genotype on Initiation of Embryogenic Callus From Elite Maize (<i>Zea Mays L.</i>) Germplasm", <u>Theor. Appl. Genet.</u> , Vol. 70, p. 505-509			
	39	Troyer, et al. (1985) "Selection for Early Flowering in Corn: 10 Late Synthetics", <u>Crop Science</u> , Vol. 25, pp. 695-697			
	40	Umbeck, et al. (1983) "Reversion of Male-Sterile T-Cytoplasm Maize to Male Fertility in Tissue Culture", <u>Crop Science</u> , Vol. 23, pp. 584-588			
	41	Wan et al., "Efficient Production of Doubled Haploid Plants Through Colchicine Treatment of Anther-Derived Maize Callus", <u>Theoretical and Applied Genetics</u> , 77:889-892, 1989			
	42	Wright, Harold (1980) "Commercial Hybrid Seed Production", <u>Hybridization of Crop Plants</u> , Ch. 8:161-176			
	43	Wych, Robert D. (1988) "Production of Hybrid Seed", <u>Corn and Corn Improvement</u> , Ch. 9, pp. 565-607			
Examiner Signature				Date Considered	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--